

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION CONFERENCE COMMITTEE ON SENATE AMENDMENTS TO HOUSE BILL 559**

**Call to Order:** By **SEN. KEN MILLER(R)**, on April 10, 2001 at 1:00 P.M., in Room 152 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Sen. Ken Miller, Chairman (R)  
Rep. Mark Noennig, Vice-Chairman (R)  
Sen. Chris Christiaens (D)  
Sen. Duane Grimes (R)  
Rep. Rick Laible (R)  
Rep. Gary Matthews (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Bart Campbell, Legislative Branch  
Jane Nofsinger, Committee Secretary

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

##### **Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB559, 4/9/2001  
Executive Action: HB559

#### **HEARING ON HB559**

**CHAIRMAN MILLER** called the meeting to order and asked **REP. NOENNIG** to explain HB559 to the committee.

**REP. NOENNIG** told the committee the bill pertained to landlord-tenant agreements in mobile home courts. He stated there were distinct differences between landlords and tenants in mobile home courts and in other landlord-tenant situations. One difference he noted was that some tenants in mobile home courts actually owned

their home. This meant the tenant could not be evicted as in other situations, because they must move their home. He said, "Because they must take their home with them, they cannot be turned out without a good reason." He said when this portion of the law was added, it was added to existing law in a "hodgepodge," and was almost impossible to follow. He told the committee that since last session he had spent a lot of time rewriting and changing the current law to make it more clear and easy to follow. He said he had come up with a bill which went through the House. He said the amendments which had been placed on the bill in the Senate made it harder to follow and added language which sounded like the sections were completely separate, but in fact, the provisions apply to both. "I had carefully gone through both sections and cross-referenced them," he said, "and now it is muddy." He pointed out there were other deletions which he did not know what was meant or intended. He said he recommended the bill be returned to its original form, and the amendments put on in the Senate be removed.

**REP. LAIBLE** said HB559 got quite a bit of discussion in the House Business and Labor Committee, and they had put a lot of balance in the bill. He said the important thing to remember is there needs to be a balance between the landlord and tenant. He said it was also important to remember not to lose sight of the other tenants in the court, and their rights to peaceful enjoyment of their homes. He said he supported the bill as originally written without the Senate amendments.

**SEN. CHRISTIAENS** asked **SEN. GRIMES** if he recalled the discussion which took place in the Senate committee before these amendments were added.

**SEN. GRIMES** said yes, but not exactly, or why they did it. He asked **Rhonda Carpenter, Montana Housing Providers**, if she could explain what happened in the Senate.

**Ms. Carpenter** said **SEN. O'NEIL** was confused with the bill and thought landlords might be confused too. She said he did not get the message that his constituents had helped draft the bill and were comfortable with it.

**CHAIRMAN MILLER** called for the question.

**Vote: Motion to amend HB559 was carried unanimously.**

**ADJOURNMENT**

Adjournment: 1:17 P.M.

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CHAIRMAN KEN MILLER, Chairman

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JANE NOFSINGER, Secretary

MN/KM/JN

**EXHIBIT** (cch80hb0559aad)